

AMENDED IN ASSEMBLY MARCH 10, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1758

Introduced by Assembly Member Ammiano

February 8, 2010

An act to amend Sections 18250, 18251, 18253, 18253.5, 18254, *and* 18255, ~~and 18256.5~~ of, to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, to add Section 18258 to, *to repeal Section 18256.5 of*, and to repeal and add Section 18256 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1758, as amended, Ammiano. County wraparound services program.

Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wraparound services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family-like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties.

This bill would remove the designation of this program as a pilot project and make conforming changes.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which eligible low-income persons are provided with health care services.

~~Existing law provides for the Adoption Assistance Program, administered by the State Department of Health Care Services, under~~

~~which adoption assistance payments are provided to eligible adoptive parents.~~

This bill would also provide that children otherwise categorically eligible for Medi-Cal benefits without a share of cost due to receipt of benefits under the AFDC-FC program ~~or the Adoption Assistance Program~~ shall remain eligible for Medi-Cal benefits during participation in the wraparound services program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The heading of Chapter 4 (commencing with
2 Section 18250) of Part 6 of Division 9 of the Welfare and
3 Institutions Code is amended to read:

4
5 CHAPTER 4. COUNTY WRAPAROUND SERVICES PROGRAM
6

7 SEC. 2. Section 18250 of the Welfare and Institutions Code is
8 amended to read:

9 18250. (a) It is the intent of the Legislature that all counties
10 be authorized to provide children with service alternatives to group
11 home care through the development of expanded family-based
12 services programs. These programs shall include individualized
13 or “wraparound” services, where services are wrapped around a
14 child living with his or her birth parent, relative, nonrelative
15 extended family member as defined in Section 362.7, adoptive
16 parent, licensed or certified foster parent, or guardian. The
17 wraparound services developed under this section shall build on
18 the strengths of each eligible child and family and be tailored to
19 address their unique and changing needs.

20 (b) It is further the intent of the Legislature that the county
21 wraparound services program include the following elements:

22 (1) Making available to the county the state share of nonfederal
23 reimbursement for group home placement, minus the state share,
24 if any, of any concurrent out-of-home placement costs, for children
25 eligible under this chapter, for the purpose of allowing the county
26 to develop family-based service alternatives.

1 (2) Enabling the county to access all possible sources of federal
2 funds for the purpose of developing family-based service
3 alternatives.

4 (3) Encouraging collaboration among persons and entities
5 including, but not limited to, parents, county welfare departments,
6 county mental health departments, county probation departments,
7 county health departments, special education local planning
8 agencies, school districts, and private service providers for the
9 purpose of planning and providing individualized services for
10 children and their birth or substitute families.

11 (4) Ensuring local community participation in the development
12 and implementation of wraparound services by county placing
13 agencies and service providers.

14 (5) Preserving and using the service resources and expertise of
15 nonprofit providers to develop family-based and community-based
16 service alternatives.

17 SEC. 3. Section 18251 of the Welfare and Institutions Code is
18 amended to read:

19 18251. As used in this chapter:

20 (a) “County” means each county participating in an
21 individualized or wraparound services program.

22 (b) “County placing agency” means a county welfare or
23 probation department, or a county mental health department with
24 respect to those children placed pursuant to Section 7572.5 of the
25 Government Code.

26 (c) “Eligible child” means a child who is any of the following:

27 (1) A child who has been adjudicated as either a dependent or
28 ward of the juvenile court pursuant to Section 300, 601, or 602
29 and who would be placed in a group home licensed by the
30 department at a rate classification level of 10 or higher.

31 (2) A child who would be voluntarily placed in out-of-home
32 care pursuant to Section 7572.5 of the Government Code.

33 (3) A child who is currently, or who would be, placed in a group
34 home licensed by the department at a rate classification level of
35 10 or higher.

36 (d) “Wraparound services” means community-based intervention
37 services that emphasize the strengths of the child and family and
38 includes the delivery of coordinated, highly individualized
39 unconditional services to address needs and achieve positive
40 outcomes in their lives.

1 (e) “Service allocation slot” means a specified amount of funds
2 available to the county to pay for an individualized intensive
3 wraparound services package for an eligible child. A service
4 allocation slot may be used for more than one child on a successive
5 basis.

6 SEC. 4. Section 18253 of the Welfare and Institutions Code is
7 amended to read:

8 18253. Each county shall ensure that an evaluation of the
9 wraparound services program is conducted to determine the cost
10 and treatment effectiveness of outcomes such as family functioning
11 and social performance, preventing placement in more restrictive
12 environments, improving emotional and behavioral adjustments,
13 school attendance, and stability in the least restrictive school
14 placement for eligible children. Systems of care outcomes shall
15 be included to the extent they are applicable to the target
16 population.

17 SEC. 5. Section 18253.5 of the Welfare and Institutions Code
18 is amended to read:

19 18253.5. Each county shall ensure that staff participating in
20 the wraparound services program have completed training provided
21 or approved by the department, on providing individualized
22 wraparound services.

23 SEC. 6. Section 18254 of the Welfare and Institutions Code is
24 amended to read:

25 18254. (a) Reimbursement rates for wraparound services,
26 under the wraparound services program, shall be based on the
27 following factors:

28 (1) The average cost of rate classification 10 to 11 in each
29 county, minus the cost of any concurrent out-of-home placement,
30 for children who are or would be placed in a rate level 10 or 11
31 group home.

32 (2) The average cost of rate classification 12 to 14 in each
33 county, minus the cost of any concurrent out-of-home placement,
34 for children who are or would be placed in a rate level 12 to 14
35 group home.

36 (b) The annual maximum limit on funding available for the
37 wraparound services program authorized by this chapter shall be
38 based on the average cost, determined pursuant to subdivision (a),
39 for the number of service allocation slots assigned to each county.

1 (c) The department shall reimburse each county, for the purpose
2 of providing intensive wraparound services, up to 100 percent of
3 the state share of nonfederal funds, to be matched by each county's
4 share of cost as established by law, and to the extent permitted by
5 federal law, up to 100 percent of the federal funds allocated for
6 group home placements of eligible children, at the rate authorized
7 pursuant to subdivision (a).

8 (d) State and, to the extent permitted by federal law, federal
9 foster care funds shall remain with the administrative authority of
10 the county welfare department, which may enter into an interagency
11 agreement to transfer those funds, and shall be used to provide
12 intensive wraparound services.

13 (e) General Fund costs for the provision of benefits to eligible
14 children, at rates authorized by subdivision (a), through the
15 wraparound services program authorized by this chapter, shall not
16 exceed the costs which would otherwise have been incurred had
17 the eligible children been placed in a group home.

18 SEC. 7. Section 18255 of the Welfare and Institutions Code is
19 amended to read:

20 18255. Any county that applies to, and is granted approval, by
21 the department may implement a wraparound services program.
22 The number of service allocation slots assigned to each county
23 shall be determined by each county and approved by the
24 department.

25 SEC. 8. Section 18256 of the Welfare and Institutions Code is
26 repealed.

27 SEC. 9. Section 18256 is added to the Welfare and Institutions
28 Code, to read:

29 18256. The department shall work with the County Welfare
30 Directors Association of California to identify periodic data
31 elements to be collected in order to track the impact of the counties'
32 wraparound services programs on applicable California Child and
33 Family Services Review System outcome indicators, such as safety,
34 permanency, and the well-being of the child.

35 ~~SEC. 10. Section 18256.5 of the Welfare and Institutions Code~~
36 ~~is amended to read:~~

37 ~~18256.5. In order to prevent disruption to a child participating~~
38 ~~in a wraparound services program, any county that terminates its~~
39 ~~wraparound services program shall continue to provide to that~~

1 ~~participating child all planned services specified in the child's~~
2 ~~individualized services plan until his or her case is closed.~~

3 *SEC. 10. Section 18256.5 of the Welfare and Institutions Code*
4 *is repealed.*

5 ~~18256.5. At the end of a county's pilot project, in order to~~
6 ~~prevent disruption to the child, each child remaining in the pilot~~
7 ~~project shall continue to receive all planned services specified in~~
8 ~~the child's individualized services plan until his or her case is~~
9 ~~closed.~~

10 SEC. 11. Section 18258 is added to the Welfare and Institutions
11 Code, to read:

12 18258. A child who is otherwise categorically eligible for
13 Medi-Cal benefits without a share of cost due to receipt of benefits
14 under the Aid to Families with Dependent Children-Foster Care
15 (AFDC-FC) program ~~or the Adoption Assistance Program~~ shall
16 remain eligible for Medi-Cal benefits during participation in the
17 wraparound services program, provided that the child remains an
18 eligible child as defined in subdivision (c) of Section 18251 and
19 is considered temporarily absent from a foster care placement for
20 which the child remains eligible for AFDC-FC benefits pursuant
21 to Section 18254. The placement of a child who is participating
22 in the wraparound services program pursuant to this chapter in his
23 or her parental home shall not represent a change in the child's
24 foster care status for purposes of Medi-Cal eligibility, provided
25 that the child remains an eligible child as defined in subdivision
26 (c) of Section 18251 and is considered temporarily absent from a
27 foster care placement for which the child remains eligible for
28 AFDC-FC benefits pursuant to Section 18254. Medi-Cal eligibility
29 shall be redetermined, consistent with applicable state law, if the
30 child is returned to the parental home and AFDC-FC ~~or Adoption~~
31 ~~Assistance Program~~ benefits terminated.